

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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UNITED STATES OF AMERICA)
)
)
)
)
v.)
)
LEE HENRY,)
Defendant.)

SEP 20 P 5:10
Criminal Nos. 05-30010-MAP
U.S. 05-30011-MAP

GOVERNMENT'S MOTION FOR ENTRY
OF AN ORDER OF EXCLUDABLE DELAY

Now comes the United States, by its undersigned attorneys, and hereby moves that the Court enter an Order of Excludable Delay from September 20, 2005 through October 31, 2005 pursuant to 18 U.S.C. §3161(h)(8)(A). The government relies on the following in support thereof.

During the September 20, 2005 Pretrial Conference the defendant stated he was electing to go to trial. Counsel for the defendant requested time to prepare for trial and agreed to a trial date of October 31, 2005. The Court set a trial date of October 31, 2005 at the request of the parties.

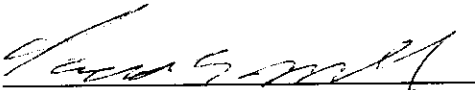
Therefore, the government moves that the Court exclude the time between September 20, 2005 and October 31, 2005 from the speedy trial time period pursuant to 18 U.S.C. §3161(h)(8)(A). The exclusion of this time from the Speedy Trial time period is

in the interests of justice. The defendant assents to this motion.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By:

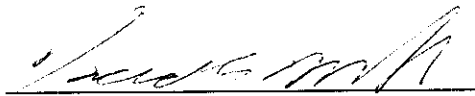

TODD E. NEWHOUSE
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

Hampden, ss.

Springfield, Massachusetts
September 20, 2005

I, Todd E. Newhouse, Assistant U.S. Attorney, do hereby certify that I have served, by first class mail, a copy of the foregoing, to all counsel of record.


TODD E. NEWHOUSE
Assistant U.S. Attorney